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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirtieth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: The Kingdom of the Netherlands (Netherlands Antilles)

1. The Committee considered the State party's initial report on the Netherlands Antilles (CRC/C/61/Add.4) at its 800th and 801st meetings (see CRC/C/SR.800 and 801), held on 5 June 2002, and adopted* the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's initial report on the Netherlands Antilles which followed the established guidelines. The Committee also welcomes the timely submission of the written replies to its list of issues (CRC/C/6/Add.4), which allowed for a clearer understanding of the situation of children in the Netherlands Antilles. The Committee, however, expresses its concern that the State party has submitted a separate report on behalf of the Netherlands Antilles.

3. The Committee is encouraged by the constructive, frank and open dialogue held with the State party's delegation which was composed of well-informed representatives of the Netherlands Antilles.

* At its 804th meeting, held on 7 June 2002.

B. Positive factors

4. The Committee notes the State party's efforts, through the enactment of legislation, to facilitate the implementation of the Convention in the Netherlands Antilles. In particular, the Committee notes the enactment of a new Civil Code in January 2001, which eliminates discrimination against children born out of wedlock, including with respect to their inheritance rights, and which lowers the age of civil majority from 21 to 18. The Committee further welcomes the amended Labour Regulation which increases the minimum age for employment to 15 years old, and notes with satisfaction the introduction of compulsory basic education for all children between the ages of 4 and 15.

5. The Committee welcomes with satisfaction the 1996 report entitled "From social needs to economic perspectives", which includes an urgency programme and a structural programme, and notes the Participatory Poverty Assessment of 1999 and the nine multisectoral Poverty Eradication Programmes initiated in 2000 through the Fund for Social Development, ensuring a fuller implementation of child rights.

6. The Committee notes with satisfaction the adoption in 1999 of the National Youth Policy Programme in order to improve central and island cooperation in regard to youth problems as well as to serve as a national plan of action for dealing with youth issues, and an "Urgency Programme for the Youth", with the goal of improving the quality of life and socio-economic integration of high-risk youth. The Committee further welcomes the introduction of the Directorate for Youth Development to coordinate and monitor policy in the field of child rights, and the use of creative materials by the Task Force for the Dissemination of the Convention to children and the public at large.

7. The Committee welcomes recent efforts taken by the State party to promote cooperation with and participation by non-governmental organizations in policy development and implementation of the Convention through a central NGO body which interacts closely with NGOs on all the islands.

8. The Committee also welcomes the establishment of a mechanism for coordinating external aid on the basis of equality within the State party between the Kingdom of the Netherlands, the Netherlands Antilles and Aruba, as defined in the Charter of the Kingdom and the 1987 protocol.

9. The Committee notes with satisfaction that a National Strategic Plan (NSP) for the prevention and control of HIV/AIDS has been developed, in cooperation with UNAIDS, the United Nations Development Programme, the Caribbean Epidemiology Center, the Pan-American Health Organization and the Caribbean Community.

C. Factors and difficulties impeding the implementation of the Convention

10. The Committee acknowledges that the economic and social difficulties facing the Netherlands Antilles have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular, it notes the impact of the structural adjustment programme, the increasing levels of unemployment and poverty and the added

difficulties caused by hurricanes and other natural disasters on the islands. The Committee further notes the country's geographic spread, which poses problems in the provision of services and the coordination of policies and programmes.

D. Principal subjects of concern, suggestions and recommendations

1. General measures of implementation

Reservations

11. The Committee is concerned that the reservations made by the State party with respect to articles 26, 37 and 40 of the Convention, as well as the declaration concerning article 22, have not yet been withdrawn and are still applicable to the Netherlands Antilles.

12. **In light of the Vienna Declaration and Programme of Action (1993), the Committee encourages the State party in its intention, as stated by the delegation, to withdraw all of its reservations and declarations, including with respect to the Netherlands Antilles.**

Legislation

13. The Committee welcomes efforts by the State party to harmonize legislation with the Convention, such as the introduction of a new Civil Code in January 2001. Yet, the Committee is concerned that the new Civil Code and the Family Law are not sufficiently known within the Netherlands Antilles.

14. **The Committee recommends that the State party:**

(a) Continue in its effort to ensure that the new provisions of the Civil Code and Family Law are published and accessible to the public, and are sufficiently known and understood by all professional groups working for and with children;

(b) Review the legislation in order to achieve full compliance with the Convention and its rights-based approach.

Independent monitoring structures

15. The Committee expresses concern at the absence of an independent mechanism in the State party to assess progress in implementing the Convention and to register and address complaints from children directly concerning violations of their rights under the Convention.

16. **The Committee encourages the State party to establish an independent and effective mechanism in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134), provided with adequate human and financial resources and easily accessible to children, that:**

(a) Monitors the implementation of the Convention;

(b) Deals with complaints from children in a child-sensitive, direct and expeditious manner;

(c) Provides remedies for violations of their rights under the Convention.

In this regard, the Committee further recommends that the State party consider seeking technical assistance from, among others, UNICEF and OHCHR.

Resources for children

17. Whilst the Committee welcomes the State party's determination in redistributing resources according to the priorities set by the Netherlands Antilles for a fuller implementation of the Convention, the Committee is concerned that cultural rights for children, in particular for marginalized groups, are not sufficiently protected.

18. **In light of articles 2, 3, and 6 of the Convention, the Committee encourages the State party to pay particular attention to an effective and progressive implementation of article 4 of the Convention by prioritizing budgetary allocations for the economic, social and cultural rights of children, to the maximum extent of available resources (at all levels) and including through development cooperation.**

Data collection

19. The Committee is concerned at the lack of an adequate data collection mechanism within the State party to permit the systematic and comprehensive collection of disaggregated quantitative and qualitative data for all areas covered by the Convention in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

20. **The Committee recommends that the State party, as a matter of priority, systematically collect disaggregated data incorporating all the areas covered by the Convention and covering all children below the age of 18 years, with specific emphasis on those who are in need of special protection and including children within the juvenile justice system. The State party should also develop indicators to effectively monitor and evaluate progress achieved in the implementation of the Convention and assess the impact of policies that affect children. In this context, the Committee recommends that the State party seeks technical assistance from, among others, the United Nations Population Fund (UNFPA), UNDP and UNICEF.**

Dissemination

21. While the Committee notes with appreciation the initiatives of the State party to promote awareness of the principles and provisions of the Convention in the Netherlands Antilles, and welcomes the translation of the Convention into the major languages, the Committee is concerned that civil servants, professional groups, children, parents and the general public are

still not sufficiently aware of the Convention and the rights-based approach enshrined therein. The Committee is also concerned that insufficient efforts have been taken to publicize the initial report of the Netherlands Antilles.

22. **The Committee recommends that:**

(a) The State party strengthen its awareness-raising efforts and encourage the islands to undertake systematic education and training on the rights of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, social workers, as well as children and their parents;

(b) Recommends that the Netherlands Antilles seek to ensure that the Convention is fully integrated into the curricula at all levels of the educational system, on all the islands.

2. Definition of the child

23. The Committee is concerned that specific protection is only afforded to children of 16 years and below in the administration of the justice system.

24. **The Committee recommends that specific protection be provided in the area of the administration of justice to all children up to the age of 18, in conformity with the Convention.**

3. General principles

Non-discrimination

25. The Committee is concerned that:

(a) The principle of non-discrimination against children is not guaranteed in legislation;

(b) Discrimination on some of the grounds mentioned in article 2 of the Convention is still not a punishable offence under the Criminal Code;

(c) There is discrimination against children with disabilities;

(d) There are discrepancies in the enjoyment of rights in relation to certain vulnerable groups, especially children from immigrant families who have only limited access to adequate health, education and other social services.

26. **The Committee recommends that the Netherlands Antilles:**

(a) Ensure that all relevant legislation prohibits discrimination on all the grounds covered by article 2 of the Convention;

(b) Address all forms of discrimination against children mentioned in points (c) and (d) above;

(c) Take strong proactive measures to ensure that children of immigrant families have equal access to education, health and other services.

27. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the Netherlands Antilles to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29, paragraph 1, of the Convention (aims of education).**

Best interest of the child

28. The Committee is concerned that the principle of the best interest of the child (art. 3) is not expressly included in the legislation and the administrative and judicial decisions of the State party, as well as in policies and programmes relevant to children at both national and local levels.

29. **The Committee recommends that the State party apply the principle of the best interest of the child as a primary consideration in all relevant legislation concerning children and in all legal, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children.**

The right to life, survival and development

30. The Committee expresses its concern that one of the leading causes of death among older children is homicide.

31. **The Committee recommends that the Netherlands Antilles study the problem of homicide amongst youth and take effective measures to address the root causes based on the results of the study.**

Respect for the views of the child

32. While noting the State party's efforts in this regard, including the establishment of Youth Summits, Youth Advisory Groups and a Youth Parliament, the Committee remains concerned that:

(a) The views of the child are still not fully respected and taken into account at school and at home;

(b) Few of the Youth Advisory Groups are still active, and the Youth Parliament only includes a minority of persons under 18.

33. **The Committee recommends that the State party:**

(a) Promote and facilitate, within the family, the school, the courts and administrative bodies, respect for the views of children and their participation in all matters affecting them, according to their age and majority;

(b) Provide information to children and their parents, teachers, government officials, the judiciary, traditional leaders and society at large on children's right to participate and to have their views taken into account;

(c) Continue and strengthen its efforts to assure child participation in all spheres that affect their lives, including through reinforcing the work of and increasing the number and representation of children involved in Youth Parliaments, Summits and Advisory Groups, and ensure that girls in particular take an active role within these bodies and other participatory mechanisms;

(d) Ensure that the current education reforms include specific mechanisms to guarantee children's involvement and expression in school policy and the development of curriculum.

4. Civil rights and freedoms

Birth registration

34. While the Committee takes note of the State party's efforts in the area of birth registration, including the three-months "grace period" given to undocumented migrants to register themselves, the Committee remains concerned that a large percentage of children, especially those from migrant families, are not registered and thus have not been able to enjoy their rights fully.

35. **The Committee recommends that the Netherlands Antilles, in light of article 7 of the Convention, expand systems and procedures for the immediate registration of the birth of all children and campaign to raise awareness of the importance of birth registration. Special emphasis should be placed on the registration of children belonging to the most vulnerable groups, including children belonging to migrant families.**

Violence/abuse/neglect/maltreatment

36. The Committee welcomes the launching of the National Action Plan "Towards Advice and Reporting Centres against Child Abuse in the Netherlands Antilles" in October 2001, which aims to create recognizable, accessible and effective centres to deal with child abuse. The Committee is concerned, however, that there is insufficient information and awareness of the

ill-treatment and abuse of children and that whilst corporal punishment has been formally banned and made a punishable offence in schools as a matter of policy, this form of punishment continues to be practised in schools, as well as in the home and in public institutions such as prisons and in alternative care contexts.

37. **The Committee recommends that the Netherlands Antilles:**

(a) Take all legislative measures to prohibit all forms of physical and mental violence, including corporal punishment, against children (boys as well as girls) in the home, schools and in all other contexts;

(b) Conduct a study to assess the nature and extent of ill-treatment and abuse of children, and design policies and programmes to address it;

(c) Carry out public education campaigns about the negative consequences of ill-treatment of children and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(d) Encourage the establishment of a steering committee for "Advice and Reporting Centres against Child Abuse" on each island, as suggested in the National Action Plan, and ensure that these centres possess effective procedures and mechanisms for reporting and referring cases of child abuse and neglect, as well as appropriate measures for the protection of child victims;

(e) Provide care, recovery and reintegration for victims;

(f) Train teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of ill-treatment cases;

(g) Take into consideration the recommendations of the Committee adopted on its days of general discussion on children and violence in September 2000 (CRC/C/100, para. 688) and September 2001 (CRC/C/111, paras. 701-745);

(h) Take measures, including through legislation, to support and protect child victims and witnesses in legal proceeding;

(i) Seek assistance from, among others, UNICEF and WHO.

5. Family environment and alternative care

Family environment

38. The Committee is concerned that as noted by the State party, "an increasing number of families on the Netherlands Antilles are finding it extremely difficult to fulfil their basic role of educating and raising their children" (CRC/C/6/Add.4, para. 98), and at the large number of

single-parent families, mostly headed by women, and the inadequate assistance provided to them. The Committee is further concerned at the disparities in the availability and accessibility of day-care services between islands.

39. **The Committee recommends that the State party:**

(a) Take steps to ensure that parents and families understand and fulfil their obligations towards children and give consideration to means of providing families with additional support, including through the implementation of the 1997 government memorandum on the family;

(b) Establish an effective mechanism for the provision of adequate social welfare;

(c) Introduce a national policy on day-care services with a view to ensuring uniformity across all islands.

Recovery of maintenance

40. The Committee notes that while the Civil Code obliges parents to meet the costs of maintaining and educating their child, in practice it is difficult to recover this maintenance and often it is the mother who carries full responsibility for the upbringing of the child.

41. **The Committee recommends that the State party implement a more proactive and effective policy for collecting maintenance from solvent parents who refuse to pay.**

Children deprived of a family environment

42. The Committee expresses its concern that:

(a) Current facilities available for the alternative care of children deprived of their family environment are insufficient, in particular in the Windward Islands where no foster homes are available;

(b) The Island Ordinances on alternative care have not been sufficiently implemented, monitoring and follow-up of placements in institutions is inadequate, and personnel available in this field are insufficiently trained.

43. **The Committee recommends that the Netherlands Antilles:**

(a) Develop programmes to facilitate alternative care, in particular foster care in the Windward Islands;

(b) Strengthen efforts to improve the quality of care available, including through the implementation of the Ordinances on alternative care for all islands;

(c) Provide training, including in children's rights, for social and welfare workers;

(d) Ensure that placements in institutions are periodically reviewed, as required under article 25 of the Convention;

(e) Establish an independent complaint mechanism for children in alternative care institutions;

(f) Strengthen its collaboration with NGOs in this area, and consider renewing its support to NGOs providing alternative care facilities.

6. Basic health and welfare

44. While the Committee notes the efforts of the State party to improve health care for children through, inter alia, free and accessible preventive health care on all five islands, developing health education programmes for youngsters and adolescents and providing free of charge mental health care for 0-19 year olds, the Committee is concerned at the insufficient number of trained medical personnel; the inaccessibility of health services to children not enrolled in the health-care system; the very low rates of breastfeeding and the inadequate education of health workers and the general public on the advantages of breastfeeding, and the limited psychological and physical programmes available for treating child victims of hurricanes and other natural disasters. The Committee is further concerned at the disparity in the quality of health services among the islands.

45. **The Committee recommends that:**

(a) Greater efforts be undertaken to make the necessary professional and financial resources available;

(b) Every effort be made to improve public knowledge of basic health-care measures, including prevention and reproductive health, and provide for the affordable availability of contraception so that unwanted pregnancy does not occur;

(c) Efforts to reach unregistered schools, specifically makeshift schools, are continued and strengthened;

(d) The State party develop a national campaign to inform parents and train professionals on the advantages of breastfeeding and continue and expand to all islands its initiative to introduce "baby-friendly" hospitals;

(e) Comprehensive and consistent programmes for treating victims of hurricanes be developed;

(f) National legislation for health care be introduced so as to ensure that disparities in the quality of health care among the islands is rectified;

(g) Social security and health insurance be broadened so as to include all children within the State party.

Children with disabilities

46. The Committee is concerned that:

(a) There are insufficient resources and specialized staff for children with disabilities and a lack of specialized institutions, in particular in the Windward Islands;

(b) Undocumented children do not have access to this care;

(c) Insufficient efforts have been made to facilitate the inclusion of children with disabilities into the educational system and generally within society.

47. **The Committee recommends that the State party:**

(a) Undertake studies to determine the causes of and ways to prevent disabilities in children;

(b) In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on " The rights of children with disabilities" (CRC/C/69, paras. 310-339), further encourage the integration of children with disabilities into the regular educational system and their inclusion in society, notably by providing special training to teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas more physically accessible;

(c) Undertake an awareness-raising campaign with the participation of children, to sensitize the public about the rights and special needs of children with disabilities as well as children with mental health concerns;

(d) Provide assistance to the parents or others caring for children with disabilities;

(e) Seek technical assistance for the training of professional staff working with and for children with disabilities.

Adolescent health

48. While the Committee welcomes the introduction of "Healthy Lifestyles" and "Reproductive Health" into the education curriculum, the Committee remains concerned at the high rates of early pregnancy and the lack of information, counselling and preventive programmes on reproductive health. It also notes the rise in the number of children and youth using drugs, and the growing number of cases of HIV/AIDS among the youth.

49. **The Committee recommends that the Netherlands Antilles:**

(a) Implement the programme on reproductive health proposed in 1996 following the national workshop on reproductive health;

(b) Develop youth-sensitive and confidential counselling, care and rehabilitation facilities that are accessible without parental consent and to those not enrolled in the regular education system, when this is in the best interests of the child;

(c) Ensure that adolescents (both girls and boys) have access to and are provided with education on reproductive health and other adolescent health issues, as well as with child-sensitive and confidential counselling services, and strengthen efforts in the area of adolescent health education within the educational system.

HIV/AIDS

50. Whilst welcoming the efforts taken to develop a national strategic plan for the prevention and control of HIV/AIDS within the Netherlands Antilles, the Committee remains concerned at the increasing incidence of HIV/AIDS. The Committee is deeply concerned about the very serious impact of HIV/AIDS on the cultural, economic, political, social and civil rights and freedoms of children infected with or affected by HIV/AIDS, including the general principles of the Convention and with particular reference to non-discrimination and the rights to health care, education, food and housing, as well as to information and freedom of expression.

51. **The Committee recommends that the State party integrate respect for the rights of the child into the development and implementation of its HIV/AIDS policies and strategies on behalf of children infected with and affected by HIV/AIDS, as well as their families, including by taking into consideration the recommendations the Committee adopted at its day of general discussion on "Children living in a world with HIV/AIDS" (CRC/C/80, para. 243) and to involve children in implementing this strategy.**

7. Education, leisure and cultural activities

52. The Committee welcomes and is encouraged by the introduction of the Foundation Based Education in August 2002, which includes in its curriculum subjects such as Human Rights, Healthy Lifestyles, Reproductive Health and Social Development, and which provides a more participatory approach for children within school life. The Committee remains concerned, however, at:

(a) High drop-out rates in primary and secondary school, especially among boys;

(b) Insufficient number of well-trained teaching staff;

(c) The disparity among the islands in enrolment rates and access to education;

(d) High illiteracy rates for boys and girls;

(e) Various forms of discrimination and exclusion which affect the right to education of certain groups of children, such as pregnant adolescents, undocumented children and children with disabilities, reflecting insufficient attention to articles 28 and 29 of the Convention.

53. **The Committee recommends that the State party:**

(a) Seek to implement participatory measures to encourage children, especially boys, to stay in school during the period of compulsory education;

(b) Take effective measures through, inter alia, non-formal measures to address the high illiteracy rates;

(c) Extend resources to support children to go to secondary education;

(d) Effectively implement the Foundation Based Education as of August 2002 and monitor its progress, ensuring that children are consulted in this process and that teachers are sufficiently trained in this new approach to education;

(e) Ensure that pregnant girls of compulsory school age stay in school and are provided with adequate support mechanisms to continue their education after the child is born;

(f) Increase the number, capacity and quality of special education institutions for children with special education needs;

(g) Address education towards the aims mentioned in article 29, paragraph 1, of the Convention and the Committee's general comment on the aims of education.

Leisure and cultural activities

54. The Committee welcomes efforts by the State party to increase after school care centres for children, and introduce after school programmes and facilities for youth. Yet, the Committee is concerned that there is a lack of affordable sports facilities and other recreational programmes, and not enough activities of a cultural nature.

55. **The Committee recommends that the State party organize cultural after school activities such as drawing, plastic arts, dance and music, in participation with children, and make available free and accessible public sports facilities.**

8. Special protection measures

Refugee and internally displaced children

56. The Committee notes with concern the State party's declaration concerning article 22. The Committee is further concerned at the absence of legislation, policies and procedures in the Netherlands Antilles regarding the protection of the rights of refugee and unaccompanied children.

57. **The Committee recommends that the State party withdraw the declaration concerning article 22 and take effective legal and other measures to ensure adequate protection of refugee and unaccompanied children and implement programmes and policies to ensure their access to health, education and other social services.**

Economic exploitation

58. The Committee, whilst welcoming the introduction of the new Labour Regulation which increases the minimum age for employment to 15, remains concerned that:

(a) For night work and hazardous work the minimum age of 15 is too low and not in conformity with international standards;

(b) Children 12 years and above who have not completed primary education may work;

(c) Insufficient information and inadequate data are available on the situation of child labour and economic exploitation within the Netherlands Antilles;

d) There is inadequate enforcement of the child labour law, in particular with regard to hazardous labour, and no monitoring mechanisms available to address the situation.

59. **The Committee recommends that:**

(a) Child labour laws be reviewed and implemented, labour inspectorates be strengthened and penalties be imposed in cases of violations;

(b) Special attention be paid to enforcing laws prohibiting children under the age of 18 from work that might be hazardous to their health, safety or development, in line with ILO Minimum Age Convention, 1973 (No. 138).

Sexual exploitation and trafficking

60. The Committee is concerned at:

(a) The absence of data and of a comprehensive study on the issue of sexual exploitation and sexual abuse of children;

(b) The limited programmes available for providing physical and psychological recovery and social reintegration of child victims of such abuse and exploitation;

(c) Legislation making sexual exploitation of children only a criminal offence up to the age of 16 and not 18, and the exclusion of boys from this legislation.

61. **In light of article 34 of the Convention, the Committee recommends that the Netherlands Antilles:**

(a) Implement appropriate policies and programmes for prevention and for the reintegration and recovery of child victims according to the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(b) Extend coverage of legislation to ensure protection of children from sexual exploitation up to the age of 18;

(c) Undertake studies with a view to assessing the scope of exploitation of children, including for prostitution and pornography.

Substance abuse

62. The Committee expresses concern at:

(a) The high incidence of drug abuse and drug trafficking involving children, particularly in St. Maarten and Curaçao;

(b) The absence of data on this problem as well as the lack of a comprehensive national plan of action to combat drug abuse and trafficking amongst children;

(c) The limited psychological, social and medical programmes and services available for the treatment of drug-addicted children.

63. **The Committee recommends that the Netherlands Antilles:**

(a) Review and update national legislation on drugs;

(b) In light of article 33 of the Convention, take all appropriate measures, including administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and to prevent the use of children in the illicit trafficking of such substances;

(c) Support rehabilitative, reintegration and recovery programmes dealing with child victims of drug and substance abuse.

Administration of juvenile justice

64. The Committee is seriously concerned about the implications of the reservation entered by the State party on the applicability of adult criminal law to children over 16 years of age which is applicable to the Netherlands Antilles, and the reservation to article 40, which stipulates that for minor offences children need not be heard in the presence of a legal representative. The Committee is further concerned at reports that minors below 16 are held together with adults in detention facilities. In addition, the Committee is concerned that there are insufficient facilities for children in conflict with the law, limited training programmes for professionals working in the juvenile justice system, no available complaint mechanism directly accessible for children whose rights have been violated, and a lack of statistical data on the juvenile justice system.

65. **The Committee recommends that the State party:**

(a) Develop laws, policies and mechanisms and provide adequate resources to ensure the full implementation of juvenile justice standards and in particular articles 37, 40 and 39 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and in the light of the Committee's 1995 day of general discussion on the administration of juvenile justice (see CRC/C/46, chap. III, sect. C);

(b) Apply the special protection of the juvenile justice system to all children below 18;

(c) Ensure that minors are always heard in the presence of a legal representative; consider deprivation of liberty only as a measure of last resort and for the shortest possible period of time; protect the rights of children deprived of their liberty, including those pertaining to conditions of detention; and ensure that children are always separated from adults and remain in regular contact with their families while in the juvenile justice system;

(d) Seek assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional protocols

66. **The Committee encourages the State party to consider ratifying and extending to the Netherlands Antilles the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Dissemination of the report, written answers, concluding observations

67. **In light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party on the Netherlands Antilles be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within all levels of administration of the Netherlands Antilles and the general public, including concerned non-governmental organizations.**

68. **Finally, the Committee expects the next periodic report of the State party to include information from all three autonomous entities of the Kingdom of the Netherlands.**